

# 5 Takeaways From California Gov. Jerry Brown's Last Bill Signing Session

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**Highlight:** After four terms as governor, in the 1970s and '80s and in this decade, Jerry Brown has signed his last bills. Taken together, they cement California's place as a liberal bastion.

## Body

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LOS ANGELES — After four terms as California's governor — two in the 1970s and '80s, and two this decade — Jerry Brown finally has an empty desk.

Over his career, Mr. Brown signed nearly 20,000 bills, including 1,016 this year — the last one on Sunday night. The new laws, on a range of issues from climate change to criminal justice to gender issues, place California further to the left than much of the country, and ensure that the state will continue to be a home for liberal ideas.

Here are five takeaways from Mr. Brown's final legislative session:

A lasting legacy as 'the policy trendsetter of the country'

The flurry of bill signings on Sunday — and the ones he signed in recent weeks — essentially became a last word on lawmaking for Mr. Brown, who will leave office in January.

Taken together, they burnish California's image as a liberal haven, and as the center of resistance to the agenda of President Trump's administration.

"We don't mind anymore being out of sync with the federal government," said Karen Skelton, a Democratic consultant in Sacramento. Ms. Skelton said that perhaps Mr. Brown's most important policy priority was positioning California as a bulwark against the federal government's rollback of efforts to combat climate change. A case in point is a recent bill he signed that will require carbon-free electricity in California by 2045.

"He doubled down on climate change," Ms. Skelton said. "He lit himself on fire with anger and rage and a sense of terror about what would happen to the planet if he didn't act."

If there is one lasting message from Mr. Brown's tenure for California, she said, it is this: "We are going to be the moral compass and the policy trendsetter of the country."

Mr. Brown, in his final bill signing on Sunday, concluded a message to legislators with a reference to his next life on his family's ranch.

"And now onto the Promised Land — Colusa County!" he wrote.

A series of high-profile criminal justice measures

Hundreds of people who have been convicted of murder could be let out of prison after Mr. Brown signed a bill to overhaul California's so-called felony murder rule, which has allowed accomplices to a homicide to be

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convicted even if they did not pull the trigger. A new law on how the police use photo lineups is aimed at preventing wrongful convictions. And last month, Mr. Brown signed a law ending cash bail, the first state to do so.

The series of new criminal justice measures follows earlier efforts from California to lead the way on ending mass incarceration, with two ballot initiatives, in 2014 and 2016, that reduced penalties for some crimes and allowed for early parole.

"Governor Brown's leadership on justice reform has brought much needed balance to the state's approach to public safety," said Lenore Anderson, a former district attorney who is the founder and executive director of Californians for Safety and Justice, which has supported reforms. "More than any other governor in California history, he has advanced strategies to address prison overcrowding and expand rehabilitation and prevention programs to work better to stop the cycle of crime."

The measures have been controversial in California's law enforcement community, with members arguing that the new laws have led to increased crime in certain areas. And John Cox, a businessman who is the Republican candidate for governor, has said on the campaign trail that he would try to repeal some of the measures and return the state to a get-tough-on-crime approach.

The most high-profile measure signed into law recently — ending cash bail — has proved divisive even among liberal activists who once supported it. The version of the bill that was signed into law has generated a backlash on the left, where activists say it gives too much discretion to judges and that risk assessment tools used by courts could end up falling harder on minority communities.

### Sweeping changes to police transparency laws

Mr. Brown signed several bills meant to increase police accountability and transparency, a move that has been greeted with enthusiastic support by activists but was strongly opposed by regional police unions. Senate Bill 1421 lifts longstanding protections on police personnel files in cases involving misconduct and use of force. Assembly Bill 748 would additionally require the release of body cam footage and audio within 45 days of an incident. Together, the bills represent a significant change to California's police privacy laws, which were among the strictest in the country.

"This is transformative for California. A community can't hold its police department accountable for its handling of shootings or dishonesty by officers if investigations and disciplinary actions are kept secret," said Peter Bibring, senior staff attorney at the ACLU of Southern California. "Too often officers can act with impunity. These police shootings happen because our laws allow them to and because of our standards around use of force."

There was renewed urgency behind such legislation this year following several high profile police-involved shootings, especially the death of Stephon Clark, which caused an outpouring of grief in Sacramento. Mr. Clark was shot by police officers in his grandmother's backyard in March as they investigated a report of potential vandalism in the South Sacramento neighborhood where he lived.

There's also a neat historical symmetry at play: In 1978, near the end of his first term in office, Mr. Brown signed a bill that significantly limited access to officers' personnel records. The new laws represent a reversal that mirrors broader shifts in the conversation around accountability in policing.

But, notably, legislation that would have raised the standard for police officers in using lethal force failed to make its way out of the legislature, to the disappointment of many activists. That fight could continue under the next governor. "That bill was held. We're continuing to work on that for the next legislative session," added Mr. Bibring.

### Pushing back against gender discrimination and sexual harassment

Mr. Brown signed a contentious bill to require publicly held companies in California to include women on their boards of directors, despite skepticism about its ability to withstand legal challenges in the courts. Acknowledging the "potential flaws" of Senate Bill 826, Mr. Brown said that "recent events in Washington, D.C. — and beyond — make it crystal clear that many are not getting the message."

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"Given all the special privileges that corporations have enjoyed for so long, it's high time corporate boards include the people who constitute more than half the 'persons' in America," he wrote in the statement.

Another sweeping piece of legislation bans nondisclosure agreements in sexual harassment and assault disputes, which have become the subject of intense scrutiny in the #MeToo movement and were widely used by Harvey Weinstein, the disgraced filmmaker.

"For decades, secret settlements have been used by wealthy and well-connected perpetrators to offend repeatedly with no public accountability," wrote State Senator Connie Leyva, who wrote the bill, in a statement. "This critical legislation will empower victims and offer them the opportunity to finally say #TimesUp to those that have hurt them."

A willingness to wield the veto pen

Liberals had plenty to celebrate in the final sweep of bills signed by Mr. Brown. But the governor's well-documented independent streak, which has often run up against priorities from the left, was showcased in the pieces of legislation he vetoed over the weekend, including many liberal darlings.

Among the many bills Mr. Brown vetoed were legislation creating an ethnic studies graduation requirement in schools; several anti-harassment bills that he argued were unproductive or duplicative; and legislation that would have allowed San Francisco to set up supervised drug injection sites. His decisions, according to the statements issued by the governor, were guided by pragmatism and principle.

Mr. Brown's vetoes are rarely overturned. But many are betting that may not be the case with the next governor.

"You're going to see a shift in power now," said Anthony Rendon, the Democratic Assembly speaker, talking to business leaders recently in Los Angeles. "The Legislature is going to have more power than ever before."

Adam Nagourney contributed reporting.

PHOTO: Over his four terms as California governor, Jerry Brown has signed nearly 20,000 bills, including 1,016 this year. (PHOTOGRAPH BY Rich Pedroncelli/Associated Press FOR THE NEW YORK TIMES)

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